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12 *Swift Transportation Co. of Arizona, LLC*

13 **UNITED STATES DISTRICT COURT**
14
15 **DISTRICT OF NEVADA**

16 LAURA PETERS,

17 Plaintiffs,

18 v.

19 SWIFT TRANSPORTATION CO. OF
20 ARIZONA, LLC; DOE DRIVER; DOES I
21 through XX, inclusive; and ROE BUSIENSS
22 ENTITIES I through XX, inclusive,

23 Defendants.

CASE NO.: 2:19-cv-00874-GMN-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(Second Request)

24 IT IS HEREBY STIPULATED by and between Plaintiff, LAURA PETERS, through
25 her attorney, RAMZY PAUL LADAH, ESQ. of the law firm of LADAH LAW FIRM, and
26 Defendant, SWIFT TRANSPORTATION CO. OF ARIZONA, LLC, through its attorneys
27 MELISSA J. ROOSE, ESQ. and CARISSA CHRISTENSEN, ESQ. of the law firm of
28 RESNICK & LOUIS, P.C., that good cause existing, discovery in this matter shall be extended
an additional ninety (90) days for the purpose of completing the discovery described herein.
Pursuant to LR 26-4, the parties offer the following in support of the stipulation to extend
discovery:

I. DISCOVERY WHICH HAS BEEN COMPLETED:

1. Plaintiff's Initial FRCP 26(a) disclosures and supplements thereto;

2. Defendant's Initial FRCP 26(a) disclosures and supplements thereto;
3. Defendant's Requests for Production of Documents and Interrogatories;
4. Plaintiff's Responses to Defendant's Requests for Production and Interrogatories;
5. Plaintiff's Requests for Production of Documents and Interrogatories;
6. Independent Medical Examination of Plaintiff;
7. Disclosure of Plaintiff's biomedical/biomechanical expert and neurosurgeon expert; and
8. Disclosure of Dr. Montesano's report regarding the Independent Medical Examination of Plaintiff.

II. DEPOSITIONS TAKEN TO DATE

1. None.

III. DISCOVERY THAT REMAINS TO BE COMPLETED

1. Deposition of Plaintiff;
2. Depositions of Plaintiff's treating physicians;
3. Disclosure of remaining experts;
4. Disclosure of rebuttal experts; and
5. Depositions of the parties' respective experts.

The Parties anticipate that they may need to conduct other forms of discovery, though not specifically delineated herein, and anticipate doing so only on an as-needed basis.

IV. REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS AND NEEDS TO BE EXTENDED

The parties have been diligently working on this matter and have made significant progress to posture this case for potential resolution. On January 21, 2020, Plaintiff underwent a posterior lumbar interbody fusion at L3-4 and L4-5. Thereafter, Plaintiff has continued her post-surgical intervention medical treatment and the parties have been working to obtain these additional medical records and billing to fully ascertain the extent of the injuries and damages at issue.

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1 The parties also planned to schedule Plaintiff's in-person deposition once Plaintiff
2 recovered from surgery sufficiently to present for her deposition. However, as soon as the
3 parties were preparing to schedule the deposition, Governor Sisolak began issuing Declarations
4 of Emergency Directives in response to the current COVID-19 pandemic, which have
5 precluded the parties from being able to conduct Plaintiff's deposition in person at this time.

6 Additionally, the parties had previously agreed to participate in mediation to potentially
7 resolve this matter prior to incurring much of the time and expense of expert discovery. The
8 parties had scheduled the mediation to take place on March 24, 2020. However, based on
9 Governor Sisolak's Declaration of Emergency Directive that ordered the closure of all non-
10 essential businesses in response to the current COVID-19 pandemic, the mediator cancelled
11 and had to continue the mediation to take place on June 15, 2020.

12 The parties submit that good cause exists to grant the extension of discovery as
13 described herein because the full extent of Plaintiff's claimed damages are still changing and are
14 not fully known at this time. Additionally, the extension described herein would allow time for
15 Plaintiff's in-person deposition and for the parties' experts to review the complete medical
16 records, billing, and deposition testimony prior to the disclosure of their initial reports. Despite
17 both parties' efforts, they have been precluded from fully investigating the merits of this case
18 through necessary discovery due to the COVID-19 pandemic.

19 The parties have met and conferred regarding the challenges and the time needed to
20 complete discovery and estimate an additional 90 days is required to fully complete discovery,
21 attempt resolution via mediation, and if necessary, prepare this matter to proceed to trial in light
22 of the restrictions in place due to the COVID-19 pandemic.

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	Current Deadline	Proposed Deadline
Discovery Cutoff:	07/09/2020	10/07/2020
Disclosure of Initial Experts:	05/10/2020	08/10/2020
Rebuttal of Expert:	06/09/2020	09/08/2020
Last Day to Amend Pleadings/Add Parties	01/10/2020 (expired)	unchanged
Interim Status Report	05/10/2020	08/10/2020
Dispositive Motions:	08/06/2020	11/04/2020
Pretrial Order	09/03/2020	12/02/2020

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DATED this 3rd day of April, 2020.

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RESNICK & LOUIS, P.C.

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/s/ Carissa Christensen

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